

First Published in the Wichita Eagle on September 3, 2004

RESOLUTION NO. 04-447

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING A **TRAFFIC SIGNAL AT THE INTERSECTION OF MAIZE ROAD AND CENTRAL PARK STREET, (NORTH OF 21ST, WEST OF MAIZE) 472-83957**, IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF IMPROVING A **TRAFFIC SIGNAL AT THE INTERSECTION OF MAIZE ROAD AND CENTRAL PARK STREET, (NORTH OF 21ST, WEST OF MAIZE) 472-83957**, IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. **04-088** adopted on **March 2, 2004**, is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to improve a **traffic signal at the intersection of Maize Road and Central Park Street, (north of 21st, west of Maize) 472-83957**.

Said traffic signal shall be constructed in accordance with plans and specifications provided by the City Engineer.

SECTION 3. That the cost of said improvements provided for in Section 1 hereof is estimated to be **Ninety Thousand Dollars (\$90,000)** exclusive of the cost of interest on borrowed money, with **\$78,000** payable by the improvement district and **\$12,000** payable by the City-at-Large.

SECTION 4. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

EVERGREEN

Lot 26, Block 7

TRACT "A"

COMMENCING AT THE SOUTHEAST CORNER OF LOT 21, BLOCK 9 EVERGREEN, AN ADDITION, SEDGWICK COUNTY, KANSAS; THENCE BEARING N88°35'33"W ALONG THE SOUTH LINE OF SAID LOT, A DISTANCE OF 150.36 FEET TO THE PC OF A CURVE TO THE LEFT WITH A RADIUS OF 451.12 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 2°29'45" AN ARC DISTANCE OF 19.65 FEET; THENCE BEARING N01°24'27"E A DISTANCE OF 254.43 FEET; THENCE BEARING S88°35'33" A

DISTANCE OF 180.00 FEET TO THE EAST LINE OF SAID LOT 21; THENCE BEARING S01°24'27"W A DISTANCE OF 54.00 FEET; THENCE BEARINGS S07°07'05"W A DISTANCE OF 100.50 FEET; THENCE BEARING S01°24'27"W A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

UNPLATTED TRACT

PART OF THE NORTH 1/2 OF THE N.E. 1/4, SECTION 6, TOWNSHIP 27 SOUTH, RANGE 1 WEST OF THE 6TH P.M. DESCRIBED AS:
BEGINNING AT THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 27 SOUTH, RANGE 1 WEST OF THE 6TH P.M., SEDGWICK COUNTY, KANSAS; THENCE BEARING N89°46'15"W, ALONG THE NORTH LINE OF SAID N.E. 1/4 A DISTANCE OF 330.00 FEET; THENCE BEARING S01°24'27"W, PARALLEL WITH THE EAST LINE OF SAID N.E. 1/4, A DISTANCE OF 660.00 FEET; THENCE BEARING N89°46'15"W, PARALLEL WITH THE NORTH LINE OF SAID N.E. 1/4, A DISTANCE OF 358.94 FEET; THENCE BEARING S01°24'27"W, A DISTANCE OF 656.12 FEET; THENCE BEARING S89°47'16"E, A DISTANCE OF 688.94 FEET TO THE S.E. COR. N 1/2, N.E. 1/4, SEC. 6, T27S, R1W; THENCE BEARING N01°24'27"E, A DISTANCE OF 1315.92 FEET, TO THE POINT OF BEGINNING.

SECTION 5. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis:

That said Lot 26, Block 7, Evergreen shall pay 32,760/78,000 of the total cost, Tract "A" shall pay 12,480/78,000 of the cost and Unplatted Tract shall pay 32,760/78,000 of the total cost payable by the improvement district.

Except when driveways are requested to serve a particular tract, lot, or parcel and shall be in addition to the assessment for other improvements. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 6. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 7. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 8. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq. as amended.

SECTION 9. That the proposed improvement district does not include all properties which may be deemed to benefit from the proposed improvement and the persons who signed the petition, constituting the owners of 100% of the properties included in the proposed improvement district, are willing to pay the cost of the proposed improvement as set forth in the petition.

SECTION 10. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 10. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, August 31, 2004.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)